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UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

Gary GRIMM

CHAPTER 13

:

Case No. 17-10625 (MDC)

Debtor

DEBTORS MOTION FOR RECONSIDERATION OF THE COURTS ORDER, ISSUED <u>IN ABSTENTION, MARCH 12, 2020</u>

- 1. On March 10, 2020, debtor, accompanied newly retained Chapter 11 bankruptcy attorney to court for a status conference.
- 2. The court's scheduled a hearing on March 12, 2020, for debtor's motion for reconsideration of the courts plan approval.
- Debtor informed the court by letter on March 10, 2020 that he was in court that day ill.
 Debtor had previously informed that the court that he had ill been since November 2019.
- 4. Antibiotics prescribed by debtor's physician had not corrected, and possibly not identified, his medical problems.
- 5. Debtor had in frustration given up having his medical condition improve.
- 6. Debtor had cut back the time spent working and had performed only three maintenance items the entire year deferring the rest until his medical condition improved.
- 7. Over the past month Debtor spent less time in the office because of his illness.
- 8. Debtor had made an appointment with his doctor to obtaining a script for additional blood work and more antibiotics on March 10, 2020.
- 9. His physician later canceled his appointment.

- 10. Debtor was able to get his physician to order medical testing at Quest Diagnostic without seeing the physician.
- 11. Debtor was at Quest at the time of the hearing.
- 12. The health department had just issued guidelines for the corona virus including self quarantine.
- 13. Debtor with chronic medical problems and being a senior citizen, realized he was a prime candidate for infection, which could likely lead to his death.
- 14. Debtor requested that the hearing for March 12, be continued.
- 15. Debtor had not considered the option of the courts denied his Continuance request due to illness but realized that he could not represent himself in oral argument.
- 16. Debtor came to work the late morning of March 11, leaving shortly, and not returning until the late afternoon of March 13, 2020, at which time he discovered that the hearing was held in his absence on March 12,
- 17. No order had been entered on the docket at that time Debtor believed that the court had accepted his reason for not attending the hearing.
- 18. On March 14, 2020, debtor notified the court that due to his medical condition, he could neither remotely, nor in court, participate in future hearings until his condition improved.
- 19. Debtor returning to Quest 's diagnostic on Monday, March 16.
- 20. The associate at Quest advised debtor to go to the ER based on his symptoms.
- 21. Debtor was told there was no one in the hospital's finance department that day and could not obtain estimates of his co-pay.
- 22. Debtor opted to go to an urgent care facility the same day and was issued a prescription for an antibiotic.

- 23. Debtor was issued another antiiotic on March 17, 2020 by his physician after review of his test results.
- 24. Late Wednesday afternoon March 18, 2020, debtor received the courts order that his motion for reconsideration had been denied, in abstention, Due to his failure to participate in the hearing without court approval.
- 25. Based on the unprecedented advancement of the corona virus in this area, of which the epicenter for Montgomery County is only a few miles from debtor, referencing future hearings in court or remotely, may become a moot point.
- 26. Debtor not wishing to have the specifics of his health and medications become public knowledge has redacted documents attached of this information or not attached them at all.
- 27. Debtor apologizes to the court for this filing written in haste, and incomplete ,but wanted to ensure it is received by the court timely.
- 28. Debtor will amend.

WHEREFORE, debtor respectfully request that the court vacates its order denying debtor's motion and suspends future hearings until debtor's medical condition improves.

| Sincerely | | |
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| Gary Grimm | | |